

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2007-XXXX

WASTE DISCHARGE REQUIREMENTS
FOR
SHASTA LAKE RESORTS LIMITED PARTNERSHIP
DBA JONES VALLEY RESORT
AND
U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE
SHASTA COUNTY

TENTATIVE

The California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board), finds that:

1. Waste Discharge Requirements (WDRs) Order No. 5-001-229, adopted by the Regional Water Board on 7 September 2001, prescribed requirements for the discharge of wastes from Jones Valley Resort to an on-site sewage treatment and disposal system. Shasta Lake Resorts Limited Partnership and the U.S. Department of Agriculture, Forest Service (hereafter Discharger) submitted a Report of Waste Discharge (ROWD), dated 8 September 2006, requesting revised Waste Discharge Requirements (WDRs) for Jones Valley Resort to include an enlarged on-site sewage treatment and disposal system.
2. The resort is operated by the Shasta Lake Resorts Limited Partnership under a special use permit from the U.S. Department of Agriculture, Forest Service, who administers the property (Assessor's Parcel No. 099-057-041) for the public.
3. The resort and marina are in Section 8, T33N, R4W, MDB&M, as shown on Attachment A, which is made part of this Order. Site topography is relatively steep (25 to 30 percent), sloping toward Shasta Lake, and surrounding land is undeveloped. During times of receding lake levels, the marina may relocate within Sections 4, 5, or 8, T33N, R3W, MDB&M, because the cove is relatively shallow.
4. The facility consists of a marina, office, private residence (mobile home), and shop, as shown on Attachment B, which is made part of this Order. Prior to September 2006, approximately 270,000 gallons of wastewater (toilet waste) from the marina was pumped to a septic tank and leachfield disposal system annually. However, annual wastewater flow rates have been reported up to 315,000 gallons (*2006 monitoring data*). Wastewater flow rates are greatest during the months of May through September and near zero between November and January.

5. In 2000, a survey of Shasta Lake marinas found that a variety of deodorizing chemicals are used in commercial houseboat sewage holding tanks with chemical constituents that may include but are not limited to, ammonium nitrate, calcium nitrate, n-alkyl dimethyl benzyl ammonium chloride, n-alkyl dimethyl benzyl ethyl ammonium chloride, formaldehyde, alkoxyated linear primary alcohol, gluteraldehyde, methanol, and ethoxylated nonylphenol. The deodorizing chemicals used in sewage holding tanks of private houseboats, cabin cruisers, and small portable toilets are unknown.
6. On 6 September 2001, the Regional Water Board adopted Resolution No. 05-01-211 authorizing the Executive Officer to enter into a memorandum of understanding (MOU) with the U.S. Department of Agriculture, Forest Service (Forest Service), to eliminate gray water discharges from houseboats to Shasta Lake after 6 September 2006. In January 2004, the Executive Officer and Forest Supervisor signed MOU No. 04-MU-11051458-004. Capturing gray water is expected to contribute two to three times the volume of wastewater to the on-site disposal system.
7. An enlarged on-site sewage treatment and disposal system was constructed in 2006 to accommodate the increased waste flow rates. The expanded system includes, 2- 3,000 gallon, 2-1,500 gallon, and 2-5,000 gallon septic tanks with a total capacity of 19,000 gallons. The system is designed to treat and dispose up to 10,400 gallons of wastewater per day. A two-inch force main carries the effluent to the disposal field. At the disposal field, effluent enters a splitter box where flow is diverted to two zones of leach lines (1,700 total liner feet of leachline). Leachfields are constructed using equalizer chambers, manufactured by Infiltrator Systems Inc. The chambers are 24-inches in width, and 13.5-inches in height. A minimum of 12-inches of soil covers the chambers.
8. Gray water is defined in MOU No. 04-MU-1151458-004 as water generated from showers, kitchen sinks, bathroom sinks, wet bars, dishwashers, and washing machines.
9. The Discharger operates 31 commercial houseboats. Several of the commercial houseboats are equipped with hot tubs. The hot tub wastewater is removed through the marina's sewage pump-out system and disposed in the septic tank leachfield system.
10. The Discharger treats the hot tub water with BaquaspaTM Shock and BaquaspaTM Sanitizer. According to the Material Safety Data Sheets, BaquaspaTM Shock contains 7.5% hydrogen peroxide and BaquaspaTM

Sanitizer contains 20% poly hexamethylene biguanide hydrochloride, blue dye, and perfume. Baquaspa Shock and Sanitizer are toxic to fish.

11. An undetermined quantity of domestic wastewater from the office/residence and shop discharges to a separate 2,000-gallon septic tank and leachfield system.
12. Wastes may also be discharged to Shasta Lake as a result of marina operations such as the refueling of vessels, storage of fuel, storage of chemicals, and maintenance of the facilities (including cleaning, washing, and refurbishing of rental houseboats). During the cleaning process, the Discharger uses water and a dilute solution of cleaning agent. The wastewater from the houseboat cleaning is directly discharged to Shasta Lake.
13. Gasoline is stored in an aboveground tank that floats on a frame above Shasta Lake. The fuel is transferred to several dispensers on the marina dock. Small quantities of other petroleum products are stored at various locations throughout the facility in aboveground tanks having secondary containment. The Discharger monitors the aboveground tanks in accordance with their Spill Prevention Control and Countermeasure Plan.
14. Storm water from the facility discharges to Shasta Lake and is regulated under the General NPDES Permit for Storm Water Discharges Associated with Industrial Activities.

DESCRIPTION OF SITE

15. Jones Valley Resort lies within the Shasta Dam Hydrologic Unit (506), Shasta Lake Hydrologic Area (506.10) Calwater 2.1. The underlying soil in the disposal area consists of reddish brown, gravelly clay loam to a depth of 20 to 40 inches, and is underlain by highly weathered fractured sandstone, siltstone, and mudstone. The average percolation rate of native soils is 5.7 minutes per inch (Source: Pace Civil Inc.).
16. The average annual rainfall is approximately 60 inches and the average annual evaporation rate is approximately 70 inches (Shasta Dam Station, U.S. Bureau of Reclamation).
17. Drinking water for the resort is collected from an on-site well approximately 700 feet from the marina leachfield and 1,100 feet from the residential leachfield. Drinking water for the marina is collected from a well constructed in October 2006. The well was drilled to a total depth of 265 feet. Shasta

County Department of Resource Management regulates drinking water for Shasta Lake Resort and Jones Valley Marina.

18. Each houseboat is equipped with potable and non-potable water supplies. The houseboat's potable water is received from Jones Valley Resort's domestic water supply. The non-potable water is pumped from Shasta Lake, directly beneath the houseboat.

CEQA AND OTHER CONSIDERATIONS

19. The action to revise waste discharge requirements for ongoing operations of the existing Facility is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.).
20. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition*, (Basin Plan) designates beneficial uses, establishes water quality objectives and contains implementation plans and policies adopted by the State Water Board. Pursuant to California Water Code Section 13263(a), waste discharge requirements must implement the Basin Plan.
21. Surface water drainage is to Shasta Lake, a tributary of the Sacramento River. The Basin Plan designates the beneficial uses of Shasta Lake as municipal and domestic supply; agricultural supply; industrial supply; hydropower generation; water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; spawning reproduction and/or early development; wildlife habitat; and navigation.
22. The Basin Plan designates the beneficial uses of underlying groundwater as municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.
23. The Basin Plan establishes numerical and narrative water quality objectives for surface water and groundwater within the basin. Water quality objectives are the limits or levels of water quality constituents established for reasonable protection of beneficial uses of water or the prevention of nuisances.
24. State Water Resources Control Board Resolution No. 68-16 Statement of Policy with Respect to Maintaining High Quality of Waters of the State (a.k.a. Antidegradation Policy), requires the Regional Water Board in regulating the discharge of waste to maintain high quality waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses,

and will not result in water quality less than that described in Regional Water Board policies. This Order requires effluent and groundwater monitoring to assure continued protection of beneficial uses of waters of the state.

25. Existing groundwater monitoring data for the Facility is inadequate for determining compliance with Resolution 68-19. Therefore, in order to determine compliance with Resolution 68-19, regular groundwater monitoring must be conducted to establish downgradient groundwater concentrations for selected constituents.
26. The local economy is sustained substantially by recreational activities on Shasta Lake, therefore continued operation of the marina is important to the economic vitality of the region. Prior to implementation of the MOU No. 04-MU-1151458-004, gray water was directly discharged to surface waters (Shasta Lake). Removing the direct discharge of waste to surface waters and discharging the waste to a disposal field will result in additional treatment, which otherwise would not have occurred, thus providing greater protection to waters of the state and benefiting the people of California.
27. California Water Code Section 13267 states, in part, that:
- “In conducting an investigation specified in subdivision (a), the Regional Board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the qualities of the waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the Regional Board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The Regional Board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”
28. The Monitoring and Reporting Program required by this Order is necessary to assure compliance with these waste discharge requirements.

PROCEDURAL REQUIREMENTS

29. The Regional Water Board notified the Discharger and interested agencies and persons of its intent to prescribe revised waste discharge requirements for the discharges of waste to land, and has provided them with an

opportunity for a public hearing and an opportunity to submit their written views and recommendations.

30. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the revision of Waste Discharge Requirements.
31. Any person adversely affected by this action of the Regional Water Board may petition the State Water Resources Control Board to review the action in accordance with Sections 2050 through 2068, Title 23, California Code of Regulations. The petition must be received by the State Board Office of Chief Council, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date the action was taken. Copies of the law and regulations applicable to the filing of a petition are available on the Internet at http://www.swrcb.ca.gov/water_laws/index.html and will be provided upon request.

IT IS HEREBY ORDERED, pursuant to Sections 13263 and 13267 of the California Water Code, that Order No. 94-018 is rescinded, and that Shasta Lake Resorts Limited Partnership and the U.S. Department of Agriculture, Forest Service, its agents, successors, and assigns, in order to meet the provisions of Division 7 of the California Water Code and the regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. The discharge of 'hazardous waste' at this Facility is prohibited. For the purpose of this Order, the terms, 'hazardous waste' and 'designated waste' are defined in Title 27, California Code of Regulations (CCR).
2. The discharge of wastewater from hot tub treatment or use to surface waters or surface water drainage courses is prohibited.
3. The by-pass or overflow of untreated or partially treated wastewater from the sewage disposal system is prohibited.
4. The discharge of gray water from houseboats to surface waters is prohibited.
5. The discharge of solid or liquid waste or pollutants, to groundwater, surface water, or surface water drainage courses is prohibited.

B. Discharge Specifications

1. Neither the treatment nor the discharge of waste shall cause a nuisance or condition of pollution as defined by the California Water Code, Section 13050.
2. The domestic wastewater discharge from the marina to the leachfield shall not exceed 10,400 gallons per day.
3. The discharge shall not cause degradation of any water supply.
4. The discharge shall remain within the designated disposal area at all times.
5. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
6. Objectionable odors originating at this facility shall be investigated, and controlled. Failing treatment system components shall be repaired.
7. Solid waste shall be properly contained to prevent waste or leachate from entering surface waters.
8. Deodorizing chemicals and chemicals used for houseboat and facility maintenance shall be stored in containers designed to prevent discharges to groundwater, surface water, or surface water drainage courses.

C. Provisions

1. The Discharger shall comply with Monitoring and Reporting Program No. _____, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
2. The Discharger shall submit **by 1 September 2007** a work plan to install a groundwater detection monitoring network in accordance with Title 27, CCR.
3. The Discharger shall comply with all the items of the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements (Standard Provisions)," dated 1 March 1991, which are part of this Order.

4. The Discharger shall dispose of sludges and other solids removed from waste disposal systems in a manner that is consistent with Title 27, of the CCR and approved by the Executive Officer.
5. The Discharger shall comply with the standards contained in CCR, Title 23, Division 3, Chapter 20, Sections 2815 through 2829, *Standards for the Removal of Sewage from Vessels*.
6. The Discharger shall comply with the standards contained in the CCR Chapter 6.67, Health and Safety Code, Sections 25270-25270.13, *Aboveground Storage of Petroleum*.
7. The Discharger shall report to the Regional Water Board any material change or proposed change in character, location, or volume of the discharge or chemical or cleaning agents used.
8. In the event of any change in control or ownership of land or waste discharge facilities described herein, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Regional Water Board.
9. The U.S. Department of Agriculture, Forest Service, as administrator of the property at which the discharge occurs, is ultimately responsible for ensuring compliance with these requirements. Shasta Lake Resorts Limited Partnership retains primary responsibility for compliance with these requirements, including day-to-day operations and monitoring. Enforcement actions will be taken against the U.S. Department of Agriculture, Forest Service only in the event that enforcement actions against Shasta Lake Resorts Limited Partnership are ineffective or would be futile.
10. A copy of this Order and its attachments shall be maintained at Jones Valley Resort and the U.S. Department of Agriculture, Forest Service local office for reference by key operating personnel.
11. The Regional Water Board will review this Order periodically and revise requirements when necessary.

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I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on _____.

PAMELA C. CREEDON, Executive Officer

KB: